

## UNITED STATES DISTRICT COURT

for the

District of South Carolina

Cadence Bank, NA,

Plaintiff(s),

vs

Horry Properties, LLC, a South Carolina Limited  
 Liability Company; M&M Builders, LLC of OD,  
 a South Carolina Limited Liability Company;  
 Arthur F. McLean, Jr.,

Defendant(s).

C.A. No.: 4:10-cv-02717-RBH

**JUDGMENT IN A CIVIL ACTION**The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of  
 \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_\_%, plus  
 postjudgment interest at the date of \_\_\_\_\_%, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_  
 recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: Judgment is entered in favor of Plaintiff Cadence Bank, NA on its first cause of action for  
 fraudulent transfer. Judgment is entered in favor of Defendants Horry Properties, LLC; M&M Builders,  
 LLC of OD; and Arthur F. McLean, Jr. on Plaintiff's second cause of action of piercing the corporate  
 veil. The Court finds in favor of Plaintiff Cadence Bank on its claim to set aside the transfer of property  
 and assignment of leases between Horry Properties and M&M Builders as fraudulent under S.C. Code  
 Ann. § 27-23-10(A). The Court further orders that the corporate forms of Horry Properties and M&M  
 Builders will not be disregarded.

This action was *(check one)*:

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☒ tried by the Honorable R. Bryan Harwell, United States District Judge, presiding, without a jury and  
 the above decision was reached.

☐ decided by the Honorable R. Bryan Harwell, United States District Judge.

Larry W. Propes  
CLERK OF COURT

By s/Heather Ciccolella  
Deputy Clerk

April 3 2012